the system and play a set of games which comprise the tournament. The Saidakovsky system interacts with the participants and tracks the results of their play. The results are recorded by the system, and after the tournament time window closes, the results for all of the tournament participants are compared to one another to determine the winners.

In the Saidakovsky system, participants can accomplish their tournament game play at any time within the predetermined time window for the tournament. As a result, various participants will log in to the system at different times in order to complete their game play.

Because each of the participants can log into the system at different times in order to complete tournament game play, the Saidakovsky system necessarily must provide different games for each of the participants. If the Saidakovsky system provided the same games to all of the participants, a first participant could log in using a first user name, play all of the games for the tournament, and then that same participant could long in using a different user name and play the same games over again. This would allow the first participant the opportunity to practice using a first user name, and then complete the tournament using a second different user name based on the knowledge gained during the first game play. It would also allow a first participant to provide advice to a second participant so that the second participant can complete the game play using knowledge gained by the first participant.

Saidakovsky recognizes the inherent problems in providing the same set of games to each of the participants in the tournament. To prevent cheating, Saidakovsky deliberately provides different games to each of the tournament participants. Of course, when different games are provided to the participants, one could argue that some participants are getting easier games than

other participants. For this reason, the vast majority of the disclosure of the Saidakovsky patent is devoted to methods of creating different games for each of the participants, while still ensuring that the difficulty level of the different games is basically the same. Saidakovsky teaches how to provide different games to each of the participants, but still keep the difficulty level the same, thereby preventing cheating and keeping the tournaments fair.

Saidakovsky goes to great lengths to create different sets of games for each of the competitors such that the different sets of games all have the same level of difficulty. It would be much easier to provide the same games to each of the competitors, and Saidakovsky would not go to these great lengths if it were not necessary to provide different games to each of the competitors to prevent cheating.

In contrast, the claims of the present application are directed to systems and methods where multiple players are all playing the same set of cards in a tournament setting. Competitors are ranked based on how well they do with a particular set of cards as compared to how others have done with the same set of cards.

More specifically, in the claimed systems and methods, all players in a tournament are divided into groups. One member from each of the various group is seated at each (virtual) table. So, for instance, if sixty people were to compete in a tournament, the sixty people could be divided into six groups. One could label the groups A-F, and each group would have ten members. The players could then be seated at 10 different tables (tables 1-10), with six people at each table.

One member from group A would be seated at the same position at each of the ten tables. One member from group B would also be seated at the same position at each of the ten tables, and so forth. Thus, each table would have six players, and the six players would comprise one member from each of the six groups A-F.

During tournament play, identical decks of cards would be used at each of the ten tables. In other words, the deck of cards used at each table would have cards in exactly the same order. The claims require that each of the players seated at the same position at each of the ten tables would receive exactly the same cards. So, for instance, each of the players seated at position A (members of group A) would receive the same cards. Each of the players seated in position B (members of group B) would receive the same cards, and so forth. Card play would then be conducted at each table, and the results would be recorded.

Once a number of hands have been played, the results of the card play would be used to rank the players. However, players would not be ranked against the other players at their table. Instead, all the players in Group A would be compared to one another to see how well they did with respect to each other playing exactly the same set of cards. Similarly, each of the players in Group B would be compared to one another, and they would be ranked with respect to each other based on how well they did playing the same set of cards. Each of the players is only being ranked based on how well they do playing the same set of cards as compared to other players who also played the same set of cards. In this fashion, the element of chance or luck can be eliminated from the tournament.

Independent claim 1 is directed to a method of determining a skill level for individuals playing card game tournaments. Claim 1 recites arranging the individuals into a plurality of groups, assigning the individuals to a plurality of tables, each of the plurality of tables comprising a predetermined number of positions each having a respective label for each of the plurality of groups. Claim 1 recites providing cards to the individuals such that individuals assigned to positions with the same label at each table have the same cards. Finally, claim 1 recites comparing the performance of the individuals in the same group, being at the same position at the different tables.

Independent claim 12 is directed to a game system for playing a card game in a tournament setting. Claim 12 recites a plurality of computers used by a plurality of individuals, a host server, and various modules which are executed by the host server. Claim 12 recites a tournament module which is configured to divide the individuals into a plurality of goods, and to assign the individuals to a plurality of tables with each table comprising a predetermined number of positions, each position having a respective label corresponding to the respective groups. Claim 12 further recites a dealing module which provides cards to the computers such that individuals assigned to positions with the same label at each table have the same cards. Claim 12 further recites a monitoring module configured to track game play and a ranking module configured to compare the performance of individuals in the same group being at the same position at different tables.

At explained above, the claimed system and methods require that tournament players within an assigned group all receive the same cards, and that the players within a particular group
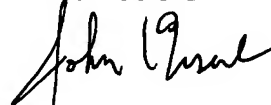
are ranked against one another based on how well they do playing the same set of cards. In contrast, and as also explained above, the Saidakovsky system never provides the same set of cards, or the same set of games to multiple players. Thus, Saidakovsky also necessarily does not compare players playing the same cards/games to one another, because all of the players in the Saidakovsky tournaments play different cards/games. For at least these reasons, it is respectfully submitted that the claims are allowable over Saidakovsky, and withdrawal of the rejection is respectfully requested.

The Office Action also rejects claims 1-22 under the judicially created doctrine of obviousness-double patenting over claims 1-17 of U.S. Patent No. 7,104,542. Enclosed herewith is a Terminal Disclaimer to obviate this rejection. Withdrawal of the rejection is respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. If the Examiner believes that additional changes would place the application in better condition, the Examiner is invited to contact the undersigned at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
KED & ASSOCIATES, LLP

John C. Eisenhart
Registration No. 38,128

P.O. Box 221200
Chantilly, Virginia 20153-1200
703-766-3777 JCE/krf
Date: June 27, 2007
Please direct all correspondence to Customer Number 34610
\\Fk4\Documents\2289\2289-008\127540.doc